

**REMARKS**

This paper is presented in response to the Office Action. By this paper, claims 1, 3-6, 9-10, 12, 21-23, 25, 27-28 and 32-40 are canceled, and claims 2, 7, 11, 15-20, 24, 26, 29 and 31 are amended. Claims 2, 7-8, 11, 13-20, 24, 26 and 29-31 are now pending in view of the aforementioned cancellations.

Reconsideration of the application is respectfully requested in view of the aforementioned amendments to the claims and the following remarks. For the convenience and reference of the Examiner, the remarks of the Applicant are presented in the order in which the corresponding issues were raised in the Office Action.

**I. General Considerations**

Applicant notes that the amendments presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited references. Such amendments are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

**II. Claim Rejections**

The Examiner has rejected claims 1-6, 9, 10, 15-21, 23-28, 31, 32 and 37-40 as anticipated and/or obvious in view of various references. Applicant disagrees but submits that for at least the reasons set forth herein, the rejections should be withdrawn.

In addition to rejecting the aforementioned claims, the Examiner has objected to claims 7, 11 and 29, among others, as being dependent upon a rejected base claim, but the Examiner has indicated that such claims would be allowable if rewritten in independent form to include all the limitations of the base claim and any intervening claims. By this paper, Applicant has amended claims 7, 11 and 29 in the manner suggested by the Examiner. In view of such amendments, Applicant submits that claims 7, 11 and 29 are now in allowable condition.

Inasmuch as the remaining claims 2, 8, 13-20, 24, 26 and 30-31 each depend from one of claims 7, 11 and 29, Applicant respectfully submits that those claims are likewise in allowable condition.

### **III. Allowable Subject Matter**

Applicant acknowledges with thanks the indication of the Examiner that claims 7-8, 11-14, 22, 29-30 and 33-36 would be allowable if rewritten to include all the limitations of the base claim and any intervening claims, and Applicant also wishes to thank the Examiner for the careful review of those claims.

Applicant submits the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. In general, Applicant agrees with the Examiner that the inventions to which claims 7-8, 11-14, 22, 29-30 and 33-36 are directed are patentable over the cited references, but respectfully disagrees with the Examiner's statement of reasons for allowance as set forth in the Office Action.

Particularly, Applicant submits that it is improper to characterize a single limitation, or subset of limitations, as constituting the basis for allowance of a claim. Rather, the patentability of a claim is properly determined with reference to the claim as a whole. Accordingly, Applicant does not concede that the reasons for allowable subject matter given by the Examiner are the only reasons that make, or would make, the claim allowable and Applicant does not make any admission or concession concerning the Examiner's statements in the Office Action concerning the allowability of claim(s) 7-8, 11-14, 22, 29-30 and 33-36 in view of the cited references.

### **IV. Docket Number**

Applicant respectfully notes that the Office Action incorrectly referenced Attorney Docket No. "H0004299 US." Pursuant to the Change of Attorney Docket Number filed in this case on July 1, 2004, the correct docket number for this case is 15436.441.11. Applicant thus respectfully requests that all applicable USPTO records be updated accordingly and Applicant further requests that all further communication from the USPTO reference docket number 15436.441.11.

**CONCLUSION**

In view of the remarks submitted herein, Applicant respectfully submits that each of the pending claims 2, 7-8, 11, 13-20, 24, 26 and 29-31 is in condition for allowance. Therefore, allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 22<sup>nd</sup> day of February, 2006.

Respectfully submitted,



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